

THURSDAY, MARCH 25, 1999
TWENTY-FIRST LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative John DeBerry.

Representative John DeBerry led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative McAfee; illness.

Representative Newton; business reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 27: Rep(s). Naifeh, Kisber, Phelan, Pinion, Rinks, Maddox, Ridgeway and Fitzhugh as prime sponsor(s).

House Resolution No. 37: Rep(s). Hood and Eckles as prime sponsor(s).

House Joint Resolution No. 165: Rep(s). Garrett as prime sponsor(s).

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

House Bill No. 431: Rep(s). Phelan as first prime sponsor(s).

House Bill No. 527: Rep(s). Bittle as prime sponsor(s).

House Bill No. 619: Rep(s). Mumpower and Harwell as prime sponsor(s).

House Bill No. 685: Rep(s). Cooper, Brown and Turner (Hamilton) as prime sponsor(s).

House Bill No. 693: Rep(s). Fraley, Patton, Ford, Beavers, Davis (Washington), Bittle, Ridgeway and Odom as prime sponsor(s).

House Bill No. 1136: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 1138: Rep(s). Turner (Hamilton) as prime sponsor(s).

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191 and 192; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 177 -- Memorials, Academic Achievement - Misty Ann Underwood, Salutatorian, East Robertson High School. by *Graves.

Senate Joint Resolution No. 178 -- Memorials, Academic Achievement - Robert Pruitt, Valedictorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 179 -- Memorials, Professional Achievement - Jerry Heffel, Direct Selling Association Hall of Fame Award. by *Blackburn.

Senate Joint Resolution No. 180 -- Memorials, Professional Achievement - James H. Quillen College of Medicine at ETSU, 25th anniversary. by *Crowe, *Kyle, *Cohen, *McNally.

Senate Joint Resolution No. 181 -- Memorials, Academic Achievement - Jacob Fentress, Valedictorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 182 -- Memorials, Academic Achievement - Shauna Leigh Frizzell, Valedictorian, White House High School. by *Graves.

Senate Joint Resolution No. 183 -- Memorials, Academic Achievement - Jason R. Wasner, Salutatorian, Westmoreland High School. by *Graves.

Senate Joint Resolution No. 184 -- Memorials, Recognition and Thanks - Michael J. DeGeorge; Bronze Star Recipient. by *Kurita.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Senate Joint Resolution No. 186 -- Memorials, Academic Achievement - Ryan P. O'Hara, Valedictorian, Hendersonville High School. by *Graves.

Senate Joint Resolution No. 187 -- Memorials, Academic Achievement - Brandon Post, Valedictorian, Hendersonville High School. by *Graves.

Senate Joint Resolution No. 188 -- Memorials, Academic Achievement - Tamara Oudman, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 189 -- Memorials, Sports - Gallatin High School girls' basketball team, TSSAA 1999 Class AAA state champions. by *Graves, *Haynes.

Senate Joint Resolution No. 190 -- Memorials, Academic Achievement - Stacy Nadler, Salutatorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 191 -- Memorials, Academic Achievement - Mary Anne Ingram, Co-Salutatorian, White House High School. by *Graves.

Senate Joint Resolution No. 192 -- Memorials, Academic Achievement - Heather Renae Dickerson, Salutatorian, Greenbrier High School. by *Graves.

PERSONAL ORDERS

RULES SUSPENDED

Rep. Stulce moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 170 out of order, which motion prevailed.

House Joint Resolution No. 170 -- Memorials, Death - J.D. Sumner. by *Stulce.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Stulce, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tindell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 166** -- Highway Signs - "William Thomas Cutchin Bridge," bridge over Forked Deer River, U.S. 51. by *Cole (Dyer).

House Transportation Committee

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 26, 1999:

Senate Joint Resolution No. 177 -- Memorials, Academic Achievement - Misty Ann Underwood, Salutatorian, East Robertson High School. by *Graves.

Senate Joint Resolution No. 178 -- Memorials, Academic Achievement - Robert Pruitt, Valedictorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 179 -- Memorials, Professional Achievement - Jerry Heffel, Direct Selling Association Hall of Fame Award. by *Blackburn.

Senate Joint Resolution No. 180 -- Memorials, Professional Achievement - James H. Quillen College of Medicine at ETSU, 25th anniversary. by *Crowe, *Kyle, *Cohen, *McNally.

Senate Joint Resolution No. 181 -- Memorials, Academic Achievement - Jacob Fentress, Valedictorian, Greenbrier High School. by *Graves.

Senate Joint Resolution No. 182 -- Memorials, Academic Achievement - Shauna Leigh Frizzell, Valedictorian, White House High School. by *Graves.

Senate Joint Resolution No. 183 -- Memorials, Academic Achievement - Jason R. Wasner, Salutatorian, Westmoreland High School. by *Graves.

Senate Joint Resolution No. 184 -- Memorials, Recognition and Thanks - Michael J. DeGeorge; Bronze Star Recipient. by *Kurita.

Senate Joint Resolution No. 186 -- Memorials, Academic Achievement - Ryan P. O'Hara, Valedictorian, Hendersonville High School. by *Graves.

Senate Joint Resolution No. 187 -- Memorials, Academic Achievement - Brandon Post, Valedictorian, Hendersonville High School. by *Graves.

Senate Joint Resolution No. 188 -- Memorials, Academic Achievement - Tamara Oudman, Valedictorian, Springfield High School. by *Graves.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Senate Joint Resolution No. 189 -- Memorials, Sports - Gallatin High School girls' basketball team, TSSAA 1999 Class AAA state champions. by *Graves, *Haynes.

Senate Joint Resolution No. 190 -- Memorials, Academic Achievement - Stacy Nadler, Salutatorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 191 -- Memorials, Academic Achievement - Mary Anne Ingram, Co-Salutatorian, White House High School. by *Graves.

Senate Joint Resolution No. 192 -- Memorials, Academic Achievement - Heather Renae Dickerson, Salutatorian, Greenbrier High School. by *Graves.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1953 -- Caryville - Subject to local approval, revises hotel motel tax. Amends Chapter 39 of the Private Acts of 1981. by *Baird. (SB1947 by *McNally)

House Bill No. 1954 -- Benton County - Subject to local approval, rewrites budget system. Amends Chapter 541 of the Private Acts of 1939. Repeals Chapter 9 of the Private Acts of 1973. by *Tidwell. (SB1949 by *Herron)

House Bill No. 1955 -- Palmer - Subject to local approval, requires candidates for office of mayor or aldermen to have high school diploma or G.E.D. Amends Chapter 318 of the Private Acts of 1925. by *Lewis. (SB1951 by *Cooper)

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1956, was/were referred to the Delayed Bills Committee.

House Bill No. 1956 -- Taxes, Severance - Permits Johnson County to levy severance tax. Amends TCA Section 67-7-202. by *Mumpower. (*SB1944 by *Crowe)

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1013** -- Motor Vehicles - Authorizes counties and municipalities to tow accidentally wrecked or disabled motor vehicles pursuant to state's safety regulatory authority. Amends TCA Title 55, Chapter 10, Part 1. by *Ford J. (HB1698 by *Jones U (Shelby))

***Senate Bill No. 1028** -- Fraternal Benefit Societies - Permits fraternal benefit societies to participate in reinsurance market Amends TCA Section 56-25-1304. by *Crutchfield. (HB1817 by *Tidwell, *Phelan, *Ferguson, *McDaniel)

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

***Senate Bill No. 1247** -- Victims' Rights - Provides that defendant may not claim prejudice or assign error based on failure of court or other state official to give victim rights; provides that failure to give victim rights does not create cause of civil action but gives victim standing to enforce rights through injunctive action or writs of mandamus; provides prosecutor may assert a victim's rights on victim's behalf. - Amends TCA Title 40, Chapter 38, Part 1. by *Herron, *Burks. (HB1334 by *Buck, *Hargrove)

***Senate Bill No. 1383** -- Taxes, Real Property - Provides for confidentiality of certain property tax information with disclosure to specified persons or officials only and to the extent specified. - Amends TCA Title 67, Chapter 5, Part 4. by *Rochelle. (HB1309 by *Cole (Dyer))

Senate Bill No. 1825 -- Auctions and Auctioneers - Makes changes to requirements for auctioneer licensing and continuing education; sets forth provisions relative to auction gallery licenses. - Amends TCA Title 62, Chapter 19, Part 1. by *Ramsey. (*HB336 by *Sands)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1949 -- Jonesborough -- Local Bill Held on House Desk

House Bill No. 1950 -- Gleason -- Local Bill Held on House Desk

House Bill No. 1951 -- Carroll County -- Local Bill Held on House Desk

House Bill No. 1952 -- McKenzie -- Local Bill Held on House Desk

CONSENT CALENDAR

***House Joint Resolution No. 73** -- Highway Signs - "Carmel Gibson Highway," S.R. 68 in Ducktown. by *Newton.

House Bill No. 1495 -- Traffic Safety - Permits certain municipalities to authorize, regulate and control commercial use of pedal carriages and rickshaws in certain areas. Amends TCA Title 55. by *Scroggs. (*SB1426 by *Haun)

***House Bill No. 527** -- Game and Fish Laws - Authorizes Gatlinburg to charge one-day fee of \$2.00 and three-day fee of \$6.00 for trout fishing licenses. Amends TCA Section 70-2-219. by *Montgomery. (SB933 by *Clabough)

***House Resolution No. 27** -- General Assembly, Confirmation of Appointment - Randy C. Camp, Tennessee Claims Commission. by *Cole (Dyer).

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

***House Bill No. 817** -- Sewage - Authorizes water and wastewater treatment authorities to regulate non-traditional sewage disposal systems that serve more than one household Amends TCA Section 68-221-607. by *Sargent, *Williams (Williamson). (SB1025 by *Blackburn)

On motion, House Bill No. 817 was made to conform with **Senate Bill No. 1025**; the Senate Bill was substituted for the House Bill.

***House Bill No. 625** -- Mobile Homes and Manufactured Buildings - Specifies circumstances under which owner of land used as mobile home or trailer park may acquire lien on moveable structure for rent due; requires notice to other lienholders by owner of such land before any lien is granted to such owner, except for first priority lien for municipal and county taxes. Amends TCA Section 67-5-802. by *Lewis, *Ford S, *Goins, *Baird, *Curtiss, *Ferguson, *Hargrove, *Buck. (SB788 by *Haun)

On motion, House Bill No. 625 was made to conform with **Senate Bill No. 788**; the Senate Bill was substituted for the House Bill.

House Bill No. 1351 -- Regional Authorities - Allows member of existing regional planning commission to continue serving until successor has been nominated and approved. Amends TCA Section 13-3-101(c)(4). by *Tindell. (*SB941 by *Burchett)

On motion, House Bill No. 1351 was made to conform with **Senate Bill No. 941**; the Senate Bill was substituted for the House Bill.

House Bill No. 1946 -- Franklin - Returns Franklin special school district bond approval provisions to status prior to 1999 amendment by SB 479 / HB 490. Amends Chapter ____ of the Private Acts of 1999. by *Williams (Williamson), *Sargent. (SB1940 by *Blackburn)

House Bill No. 1947 -- Rossville - Subject to local approval, increases term of office for mayor and aldermen to four years; establishes staggered terms of aldermen. Amends Chapter 78 of the Private Acts of 1991; as amended. by *Walley.

House Bill No. 1948 -- Trezevant - Subject to local approval, increases term of mayor from two to four years; increases term of two of five aldermen receiving highest number of votes from two to four years; in case of tie, remaining members of board of mayor and aldermen who already declare choice elected would declare terms to be served. Amends Chapter 29 of the Private Acts of 1965. by *Phelan. (SB1941 by *Carter)

House Resolution No. 33 -- Memorials, Personal Achievement - Allan Kerley, Rotary Club Perfect Attendance Award. by *Sands.

House Resolution No. 34 -- Memorials, Public Service - Columbia Rotary Club, 75th anniversary. by *Sands.

House Resolution No. 35 -- Memorials, Recognition and Thanks - Murrell School parent involvement program, "exemplary" rating. by *Pruitt, *Garrett, *Jones, S., *Arriola, *Robinson, *Harwell, *Briley, *West, *Langster.

House Resolution No. 36 -- Memorials, Recognition and Thanks - Zeta Chapter of Pi Kappa Fraternity, 125th anniversary. by *Buttry.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

House Resolution No. 37 -- Memorials, Congratulations - Eagleville, fiftieth anniversary of incorporation. by *Beavers.

House Joint Resolution No. 150 -- Memorials, Heroism - Blount County Sheriff's Detective Jim Long. by *McCord, *Kerr.

House Joint Resolution No. 159 -- Memorials, Public Service - Edward Fitzpatrick. by *DeBerry J.

House Joint Resolution No. 160 -- Memorials, Recognition and Thanks - Reverend David E. Williams, Sr. by *Sands.

House Joint Resolution No. 161 -- Memorials, Sports - 1998 Battle Ground Academy football team, TSSAA Division 2 Class A state champions. by *Sargent, *Williams (Williamson).

House Joint Resolution No. 162 -- Memorials, Personal Achievement - Christopher L. Carlton, Eagle Scout. by *Todd.

House Joint Resolution No. 165 -- Memorials, Public Service - Mary Kate Ridgeway, Paris-Henry County Chamber of Commerce Person of the Year. by *Naifeh, *Ridgeway, *Kent, *Tidwell, *White, *Fitzhugh, *Pinion, *Odum, *Walley, *Cole (Dyer), *Cole (Carter), *Phelan, *Maddox, *Hargrove, *Kisber, *Brown.

House Joint Resolution No. 167 -- Memorials, Retirement - Walter J. Winfrey. by *Todd, *Kent, *DeBerry L., *Bowers, *Turner (Shelby), *Towns, *Chumney, *DeBerry J., *Jones U (Shelby), *Miller L, *Pleasant, *Cooper B, *Hassell, *Hargett, *Brooks, *Kernell.

Senate Joint Resolution No. 196 -- Memorials, Personal Achievement - Judd Parker, National Turkey Calling Champion of the World. by *Kurita, *Herron.

Senate Joint Resolution No. 197 -- Memorials, Academic Achievement - Jamie Worcester, Salutatorian, Montgomery Central High School. by *Kurita.

Senate Joint Resolution No. 198 -- Memorials, Academic Achievement - Leslie Ann Thompson, 1999 Salutatorian, Clarksville High School. by *Kurita.

Senate Joint Resolution No. 199 -- Memorials, Academic Achievement - Lindsey Marie Vaughan, 1999 Valedictorian, Clarksville High School. by *Kurita.

Senate Joint Resolution No. 200 -- Memorials, Academic Achievement - Richard Hayes, II, 1999 Valedictorian, Montgomery Central High School. by *Kurita.

Senate Joint Resolution No. 201 -- Memorials, Academic Achievement - Benjamin Stinnett, Salutatorian, Kenwood High School. by *Kurita.

Senate Joint Resolution No. 202 -- Memorials, Personal Occasion - Walter Keith, 100th Birthday. by *Graves, *Henry.

Senate Joint Resolution No. 203 -- Memorials, Academic Achievement - Devon Gundry, Valedictorian, Hendersonville High School. by *Graves.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Senate Joint Resolution No. 204 -- Memorials, Recognition and Thanks - Sumner County 4H team. by *Graves.

Senate Joint Resolution No. 205 -- Memorials, Academic Achievement - Shannon Scott, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 206 -- Memorials, Academic Achievement - Ashley Colvin, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 207 -- Memorials, Academic Achievement - Rita Porter, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 208 -- Memorials, Academic Achievement - Fay Allen Dicens, Valedictorian, Portland High School. by *Graves.

Senate Joint Resolution No. 209 -- Memorials, Academic Achievement - Sara Elizabeth Plott, Co-Salutatorian, White House High School. by *Graves.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 527: by Rep. Jackson

House Bill No. 1946: by Rep. Davidson

Under the rules, House Bill(s) No(s). 527 and 1946 was/were placed at the foot of the calendar for April 26, 1999.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes96
Noes.....0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 506** -- Transportation, Dept. of - Prohibits contracts with private persons or entities to promote achievements or goals of comprehensive state and local transportation planning. Amends TCA Title 54; Title 55; Title 65 and Title 67. by *Head. (SB1266 by *Springer)

Rep. Head moved that House Bill No. 506 be passed on third and final consideration.

Rep. Robinson requested that Transportation Committee Amendment No. 1 be moved to the heel of the Amendments.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 506 By deleting Section 1 of the printed bill in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-114(c), is amended by adding the following new language to the end of the subsection:

This subsection shall not be applicable to vehicles having a licensed or actual weight in excess of thirty-five thousand (35,000) pounds and operating not for hire solely intrastate.

On motion, Transportation Committee Amendment No. 2 was adopted.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Head moved that **House Bill No. 506**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 261** -- County Officers - Requires person seeking office of sheriff to file affidavit of qualification with POST commission 60 days prior to qualification deadline; requires POST commission to verify POST certification 30 days prior to qualifying deadline. Amends TCA Title 8, Chapter 8, Part 1. by *Buck. (SB874 by *Burks)

Rep. Buck moved that House Bill No. 261 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 261 by deleting all language in its entirety after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-8-102(b), is amended by deleting subdivision (5) and (8) in their entirety and substituting instead the following:

(5) Not have been convicted of or pleaded guilty to or entered a plea of nolo contendere to any felony charge or any violation of any federal or state laws or city ordinances relating to force, violence, theft, dishonesty, gambling, liquor or controlled substances; so long as the violation involves an offense that consists of moral turpitude or a misdemeanor crime of domestic violence;

(8) Have been certified within ten (10) years of the qualifying deadline by a qualified professional in the psychiatric or psychological fields to be free of all apparent mental disorder as described in the Diagnostic and Statistical Manual of Mental Disorders, Third Edition (DSM III) or its successor, of the American Psychiatric Association; and

SECTION 2. Tennessee Code Annotated, Section 8-8-102(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c)(1) Any person seeking the office of sheriff shall file with the POST commission, either prior to the qualifying deadline for such office, or after filing the qualifying petition for such office, the following:

(A) an affidavit sworn to and signed by the candidate affirming that the candidate meets the requirements of this section; and

(B) a confirmation of psychological evaluation form certified by the psychologist/psychiatrist providing psychological evaluation as provided for in 8-8-102(b)(8) for the purposes of sheriff candidacy qualification. The form shall be developed by the POST commission and shall include the examining psychologist/psychiatrist's license number and state of licensure. The form shall clearly state in bold face type directly above the signature line that a person who, with intent to deceive, makes any false statement on such application commits the offense of perjury pursuant to § 39-16-702. The form shall be made available by the POST commission upon request by any candidate for the office of sheriff.

(2) If such affidavit and form is not filed with the POST commission by the withdrawal deadline for the office of sheriff, such candidate's name shall not be placed on the ballot. The POST commission shall have the authority to verify the validity of such affidavit and form.

(3) The POST commission shall verify POST certification of any person seeking the office of sheriff who meets these requirements. The original notarized verification form from POST, along with such person's nominating petition shall be filed by the POST Commission with the county election commission as soon as possible. If the POST commission has not certified to the county election commission no later than the last day on which ballots may be printed a person seeking to qualify as a candidate for the office of sheriff as meeting the qualifications as provided for in this section, such person's name shall not appear on the ballot. In the event that a person seeks election to the office of sheriff by the county legislative body to fill a vacancy in office, such verification must be filed with the county clerk prior to the election.

SECTION 3. This act shall take effect on July 1, 1999, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Westmoreland moved the previous question, which motion prevailed.

Rep. Buck moved that **House Bill No. 261**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Winningham -- 1.

A motion to reconsider was tabled.

***House Bill No. 648** -- Firefighters - Provides that governor shall appoint member, who maintains certification as EMT-P, EMT or registered nurse, from list of nominees presented by Tennessee Professional Firefighters Association to emergency medical services board. Amends TCA Title 68, Chapter 140. by *Harwell. (SB777 by *Haun, *Ramsey, *Williams)

On motion, House Bill No. 648 was made to conform with **Senate Bill No.777**; the Senate Bill was substituted for the House Bill.

Rep. Harwell moved that **Senate Bill No. 777** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

House Bill No. 649 -- Election Laws - Revises voting procedures for residents in nursing homes in county of residence. Amends TCA Section 2-6-601. by *Harwell, *Jones, S., *West. (*SB160 by *Henry, *Harper)

On motion, House Bill No. 649 was made to conform with **Senate Bill No.160**; the Senate Bill was substituted for the House Bill.

Rep. Harwell moved that **Senate Bill No. 160** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1217 -- Education - Requires LEAs to develop policy setting forth rights of students and parents to information obtained from surveys, analyses, or evaluations of students. Amends TCA Title 49, Chapter 2, Part 2. by *Harwell, *Pinion, *Patton, *Hagood, *Pleasant, *Bunch. (*SB175 by *Fowler)

On motion, House Bill No. 1217 was made to conform with **Senate Bill No.175**; the Senate Bill was substituted for the House Bill.

Rep. Harwell moved that Senate Bill No. 175 be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Harwell moved that **Senate Bill No. 175** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 891** -- Mortgages - Exempts from claims of assignees mortgage payments made to title holder of record. Amends TCA Title 66. by *Bunch, *Newton. (SB1260 by *Miller J, *Dixon)

On motion, House Bill No. 891 was made to conform with **Senate Bill No.1260**; the Senate Bill was substituted for the House Bill.

Rep. Bunch moved that **Senate Bill No. 1260** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1426 -- Alcoholic Beverages - Permits bed and breakfast establishments with business conference center in Shelby County to obtain liquor by the drink license. Amends TCA Section 57-4-102. by *Miller L. (*SB1186 by *Cohen)

Rep. Miller moved that House Bill No. 1426 be passed on third and final consideration.

Rep. Brooks moved the previous question, which motion prevailed.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Rep. Miller moved that **House Bill No. 1426** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	57
Noes	31
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, DeBerry J., DeBerry L., Eckles, Fitzhugh, Garrett, Gunnels, Hargrove, Harwell, Head, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McCord, McDaniel, McKee, McMillan, Miller, Odom, Phelan, Phillips, Pruitt, Rhinehart, Rinks, Robinson, Sargent, Scroggs, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, Westmoreland, Williams, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Baird, Beavers, Black, Bunch, Davidson, Davis (Cocke), Davis (Washington), Dunn, Ferguson, Ford, Fowlkes, Godsey, Goins, Hagood, Hargett, Hassell, Hood, Maddox, McDonald, Montgomery, Mumpower, Pinion, Pleasant, Sharp, Todd, Walley, White, Whitson, Windle, Winingham, Wood -- 31.

Representatives present and not voting were: Fraley, Patton, Sands, Stulce, Tidwell -- 5.

A motion to reconsider was tabled.

***House Bill No. 685** -- Sentencing - Enacts "Freedom of Access to Clinic Entrances Act." Amends TCA Title 39, Chapter 14, Part 3; Title 39, Chapter 14, Part 4 and Section 39-17-309. by *Jones U (Shelby), *McMillan, *Jones, S., *Langster, *Armstrong, *Brooks, *Eckles, *Caldwell, *DeBerry L, *Briley, *Odom. (SB1195 by *Cohen, *Dixon, *Harper)

Rep. U. Jones moved that House Bill No. 685 be passed on third and final consideration.

Rep. Buck requested that Judiciary Committee Amendment No. 1 be moved to the heel of the Amendments.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 685 by deleting in Section 2 of the printed bill subdivision (b)(3)(B) and by substituting instead the following:

(B) "Reproductive health services facility" means a hospital, clinic, physician's office, or other facility that provides reproductive health services, and includes the building or structure in which the facility is located.

AND FURTHER AMEND by deleting in Section 3 of the printed bill subdivision (b)(2)(B) and by substituting instead the following:

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

(B) "Reproductive health services facility" means a hospital, clinic, physician's office, or other facility that provides reproductive health services, and includes the building or structure in which the facility is located.

AND FURTHER AMEND by deleting in Section 4 of the printed bill subdivision (c)(3)(B) and by substituting instead the following:

(B) "Reproductive health services facility" means a hospital, clinic, physician's office, or other facility that provides reproductive health services, and includes the building or structure in which the facility is located.

AND FURTHER AMEND by deleting in Section 5 of the printed bill the last sentence of the amendatory language and by substituting instead the following

"As used in this subpart, "reproductive health services facility" means a hospital, clinic, physician's office, or other facility that provides reproductive health services, and includes the building or structure in which the facility is located."

On motion, Judiciary Committee Amendment No. 2 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 685 by adding the following language after the last sentence in Section 5 of the printed bill:

As used in this subpart, "interfere with" means to restrict a person's freedom of movement and "intimidate" means to place a person in reasonable apprehension of bodily harm to such person or to another person.

Rep. Jackson requested that House Bill No. 685 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 781** — Highways, Roads and Bridges - Authorizes Roane County to execute and bear costs of municipal road project, if such project has been previously approved by county legislative body and funds are available therefor. Amends TCA Title 54, Chapter 7. by *Ferguson. (SB1289 by *Davis L)

Rep. Ferguson moved that House Bill No. 781 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 781 By deleting Section 2 of the printed bill in its entirety and by substituting instead the following:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and is hereby repealed on January 1, 2000.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Ferguson moved that **House Bill No. 781**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1188** -- Housing - Redefines "housing facility" for special purpose corporations and associations to add single-family residential units located in Shelby County financed by for-profit, not-for-profit or governmental entity and bonds are not exempt under IRC. Amends TCA Section 48-101-301. by *Bowers. (SB1620 by *Dixon, *Cohen, *Person, *Ford J)

On motion, House Bill No. 1188 was made to conform with **Senate Bill No.1620**; the Senate Bill was substituted for the House Bill.

Rep. Bowers moved that Senate Bill No. 1620 be passed on third and final consideration.

Rep. Bowers moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Bowers moved that **Senate Bill No. 1620** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0
Present and not voting1

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Caldwell -- 1.

A motion to reconsider was tabled.

***House Bill No. 214** -- TennCare - Requires comptroller to monitor, audit and periodically report on status of new HCBS waivers and waiver proposals by department of health. Amends TCA Title 68 and Title 71. by *Arriola, *Armstrong. (SB347 by *Henry, *Harper)

On motion, House Bill No. 214 was made to conform with **Senate Bill No.347**; the Senate Bill was substituted for the House Bill.

Rep. Arriola moved that Senate Bill No. 347 be passed on third and final consideration.

CHAIR TO RINKS

Mr. Speaker Naifeh relinquished the Chair to Rep. Rinks.

REGULAR CALENDAR, CONTINUED

On motion, Rep. Pruitt withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Arriola moved that **Senate Bill No. 347** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 431 -- Insurance Companies, Agents, Brokers, Policies - Relieves reciprocal insurers from statutory requirement that insurer's principal place of business and primary offices and all original books be located in Tennessee if insurer's offices and records were located and maintained outside Tennessee prior to January 1, 1996. Amends TCA Title 56, Chapter 16, Part 3. by *Fraley, *Phelan. (*SB371 by *Cooper)

On motion, House Bill No. 431 was made to conform with **Senate Bill No. 371**; the Senate Bill was substituted for the House Bill.

Rep. Phelan moved that Senate Bill No. 371 be passed on third and final consideration.

Rep. Odom requested that Senate Bill No. 371 be moved down 2 places on the Calendar, without objection.

House Bill No. 693 -- Driver Licenses - Imposes mandatory \$500 fine for criminal impersonation to falsely obtain driver license and mandatory two year suspension of driver license; extends statute of limitations to four years or to one year after discovery of false impersonation, whichever is longer, instead of one year statute of limitations. Amends TCA Section 39-16-301; Section 40-2-102 and Title 55, Chapter 50. by *Jones, S., *Arriola, *Lewis, *Langster, *Briley, *Jackson, *Brown, *Brooks, *Buck, *Hagood, *Newton, *Hargett, *Montgomery, *Eckles, *Hood, *Dunn, *Tindell, *Black, *Goins, *Chumney, *Kernell, *Miller L, *Turner (Shelby), *Pleasant, *Todd, *Pruitt. (*SB716 by *Haynes, *Person)

Rep. S. Jones moved that House Bill No. 693 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 693 By deleting the amendatory language of Section 1, and by substituting instead the following language:

(b) Prosecutions under §39-16-301 for criminal impersonation accomplished through the use of a fraudulently obtained driver license shall be commenced within one (1) year of the date such driver license expires or within three (3) years of the date such non-expired driver licenser was last used to falsely impersonate the person in whose name the driver license was issued, whichever is longer.

AND FURTHER AMEND by adding the following language as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION _____. Tennessee Code Annotated, Section 55-50-336, is amended by adding the following language as a new, appropriately designated subsection:

() A photo identification license shall not be issued by the department to a person who has been issued a driver license which has not expired or which has not been revoked or suspended.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. Buck requested that Senate Bill No. 693 be moved down five places on the Calendar, without objection.

OUT OF ORDER

Rep. Jackson requested that the House take up House Bill No. 685 out of order, without objection.

REGULAR CALENDAR, CONTINUED

***House Bill No. 685** -- Sentencing - Enacts "Freedom of Access to Clinic Entrances Act." Amends TCA Title 39, Chapter 14, Part 3; Title 39, Chapter 14, Part 4 and Section 39-17-309. by *Jones U (Shelby), *McMillan, *Jones, S., *Langster, *Armstrong, *Brooks, *Eckles, *Caldwell, *DeBerry L, *Briley, *Odom. (SB1195 by *Cohen, *Dixon, *Harper)

Further consideration of House Bill No. 685 previously considered on today's Calendar at which time the House adopted Amendment(s) No(s). 2 and was on the motion to adopt Amendment No. 3.

Rep. U. Jones moved that House Bill No. 685, as amended, be passed on third and final consideration.

On motion, Amendment No. 3 was adopted.

Rep. McMillan moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 685 by adding the following as new sections immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 39-17-309(d), is amended by deleting the first sentence of the subsection and substituting instead the following:

A violation of subdivisions (b)(1) through (b)(4) is a Class D felony.

SECTION __. Tennessee Code Annotated, Section 39-17-309, is amended by adding the following as a new, appropriately designated subsection: ().

(1) In the case of a first offense, a violation of subdivision (b)(), created by Section 5 of this act, is a Class B misdemeanor.

(2) In the case of a second or subsequent offense, a violation of subdivision (b)(), created by Section 5 of this act, is a Class A misdemeanor.

On motion, Amendment No. 4 was adopted.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Jackson moved the previous question, which motion failed by the following vote:

Ayes	53
Noes	36
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Briley, Brooks, Brown, Buck, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), DeBerry L., Eckles, Ferguson, Fitzhugh, Fowlkes, Garrett, Givens, Gunnels, Hargrove, Hassell, Head, Hood, Jackson, Jones S., Kisber, Langster, Lewis, McCord, McMillan, Miller, Odom, Phelan, Phillips, Pinion, Pruitt, Rinks, Robinson, Sands, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Walker, West, Westmoreland, White, Whitson, Windle, Winningham -- 53

Representatives voting no were: Baird, Beavers, Bittle, Black, Boyer, Bunch, Buttry, Cooper, Davis (Washington), DeBerry J., Dunn, Ford, Fraley, Godsey, Goins, Hagood, Hargett, Kent, Kerr, Maddox, McDaniel, McDonald, Montgomery, Mumpower, Patton, Pleasant, Rhinehart, Ridgeway, Sargent, Scroggs, Sharp, Tidwell, Todd, Towns, Walley, Wood -- 36

Representatives present and not voting were: Chumney, Kernell -- 2.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

After further debate, Rep. Westmoreland moved the previous question, which motion failed by the following vote:

Ayes	54
Noes	35
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Briley, Brooks, Brown, Buck, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Hargrove, Hassell, Hood, Jackson, Jones S., Kisber, Langster, Lewis, McCord, McMillan, Miller, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rinks, Roach, Robinson, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, Westmoreland, White, Williams, Windle, Winningham -- 54.

Representatives voting no were: Baird, Beavers, Bittle, Black, Boyer, Bunch, Buttry, Cooper, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Fraley, Godsey, Goins, Hagood, Hargett, Kent, Kerr, Maddox, McDaniel, McDonald, Montgomery, Mumpower, Pleasant, Rhinehart, Ridgeway, Sargent, Scroggs, Sharp, Todd, Walker, Walley, Whitson, Wood -- 35.

Representatives present and not voting were: Chumney, Kernell -- 2.

After further debate, Rep. Langster moved the previous question, which motion failed by the following vote:

Ayes	55
Noes	38
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Briley, Brooks, Brown, Buck, Caldwell, Cole (Carter), Cole (Dyer), Davidson, DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Hargrove, Hassell, Head, Hood, Jackson, Jones S., Kisber, Langster, Lewis, McCord, McMillan, Miller, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rinks, Roach, Robinson, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, Westmoreland, White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 55.

Representatives voting no were: Baird, Beavers, Bittle, Black, Boyer, Bunch, Buttry, Chumney, Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Fraley, Godsey, Goins, Hagood, Hargett, Harwell, Kent, Kerr, Maddox, McDaniel, McDonald, Montgomery, Mumpower, Pleasant, Rhinehart, Ridgeway, Sargent, Scroggs, Sharp, Todd, Walker, Walley, Whitson, Wood -- 38.

Representatives present and not voting were: Kernell -- 1.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

After further debate, Rep. J. DeBerry moved the previous question, which motion failed by the following vote:

Ayes	55
Noes	34
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Briley, Brooks, Brown, Buck, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Hargrove, Head, Hood, Jackson, Jones S., Kisber, Langster, Lewis, McCord, McMillan, Miller, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Ridgeway, Rinks, Roach, Robinson, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, Westmoreland, White, Williams, Windle -- 55.

Representatives voting no were: Baird, Beavers, Bittle, Black, Boyer, Bunch, Buttry, Chumney, Cooper, Davis (Washington), Dunn, Fraley, Godsey, Goins, Hagood, Hargett, Harwell, Hassell, Kent, Kerr, Maddox, McDaniel, McDonald, Montgomery, Mumpower, Pleasant, Rhinehart, Sargent, Scroggs, Sharp, Todd, Walker, Walley, Wood -- 34.

Representatives present and not voting were: Kernell -- 1.

After further debate, Rep. Bunch moved the previous question, which motion prevailed.

Rep. U. Jones moved that **House Bill No. 685**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	51
Noes	42
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Bowers, Briley, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Fowlkes, Garrett, Givens, Gunnels, Hargrove, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, McKee, McMillan, Miller, Odom, Phelan, Phillips, Pruitt, Rinks, Robinson, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, Whitson, Williams, Mr. Speaker Naifeh -- 51.

Representatives voting no were: Baird, Beavers, Bittle, Black, Boyer, Bunch, Buttry, Davidson, Davis (Cocke), Davis (Washington), Dunn, Ford, Fraley, Godsey, Goins, Hagood, Hargett, Harwell, Hassell, Kerr, Maddox, McCord, McDaniel, McDonald, Montgomery, Mumpower, Patton, Pinion, Pleasant, Rhinehart, Ridgeway, Roach, Sargent, Scroggs, Sharp, Stulce, Todd, Walker, Westmoreland, White, Windle, Wood -- 42.

Representatives present and not voting were: Bone, West -- 2.

A motion to reconsider was tabled.

***House Bill No. 481** -- Credit and Debit Cards - Allows certain county trustee to accept payment of state and county taxes by credit or debit card; allows such trustee to collect payment processing fee and service charge for card being dishonored. Amends TCA Section 67-1-704. by *Cole (Dyer). (SB703 by *Herron)

Rep. Cole (Dyer) moved that House Bill No. 481 be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 481 By deleting subdivision (5) from the amendatory language of Section 1, and by substituting instead the following language:

(5) Payment by credit card or debit card, unless the county legislative body by a resolution adopted by two-thirds (2/3) vote determines that the trustee in such county may not receive payment by such method.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. U. Jones moved that **House Bill No. 481**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes93
Noes1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Maddox -- 1.

A motion to reconsider was tabled.

***Senate Bill No. 371** -- Insurance Companies, Agents, Brokers, Policies - Relieves reciprocal insurers from statutory requirement that insurer's principal place of business and primary offices and all original books be located in Tennessee if insurer's offices and records were located and maintained outside Tennessee prior to January 1, 1996. - Amends TCA Title 56, Chapter 16, Part 3. by *Cooper. (HB431 by *Phelan, *Fraley)

Further consideration of Senate Bill No. 371 previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill.

Rep. Phelan moved that **Senate Bill No. 371** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1309 -- Taxes, Real Property - Provides for confidentiality for property tax returns and tax information, with disclosure to specified persons or officials only and to the extent specified. Amends TCA Title 67, Chapter 5, Part 4. by *Cole (Dyer). (*SB1383 by *Rochelle)

On motion, House Bill No. 1309 was made to conform with **Senate Bill No.1383**; the Senate Bill was substituted for the House Bill.

Rep. Cole (Dyer) moved that Senate Bill No. 1383 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 2.

Rep. Kisber moved the previous question, which motion prevailed.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Rep. Cole (Dyer) moved that **Senate Bill No. 1383** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	2
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Churnney, DeBerry J. -- 2.

Representatives present and not voting were: Brooks, Brown, Kent, Kernell, Miller -- 5.

A motion to reconsider was tabled.

House Bill No. 619 -- Probation and Parole - Requires notice of parole hearing to include inmate's proposed place of residence if such inmate receives parole. Amends TCA Title 40, Chapter 28. by *Godsey, *Westmoreland, *Newton, *Windle, *Beavers, *Sands. (*SB367 by *Ramsey)

Rep. Godsey moved that House Bill No. 619 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 619 by deleting the amendatory language of Section 1 of the printed bill and by substituting instead the following:

() Any notice of an inmate's release on parole required to be provided to the victim or the victim's representative shall include the proposed county of residence of the inmate.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Godsey moved that **House Bill No. 619**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1
Present and not voting	3

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Turner (Shelby) -- 1.

Representatives present and not voting were: Brooks, Brown, Pruitt -- 3.

A motion to reconsider was tabled.

House Bill No. 269 -- Election Laws - Requires registrar of voters to make reasonable effort to redact voter's social security number from record before such record made available to third parties Amends TCA Section 2-2-127. by *Sharp. (*SB173 by *Fowler)

On motion, House Bill No. 269 was made to conform with **Senate Bill No.173**; the Senate Bill was substituted for the House Bill.

Rep. Sharp moved that Senate Bill No. 173 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. Sharp moved that **Senate Bill No. 173** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 693 -- Driver Licenses - Imposes mandatory \$500 fine for criminal impersonation to falsely obtain driver license and mandatory two year suspension of driver license; extends statute of limitations to four years or to one year after discovery of false impersonation, whichever is longer, instead of one year statute of limitations. Amends TCA Section 39-16-301; Section 40-2-102 and Title 55, Chapter 50. by *Jones, S., *Arriola, *Lewis, *Langster, *Briley, *Jackson, *Brown, *Brooks, *Buck, *Hagood, *Newton, *Hargett, *Montgomery, *Eckles, *Hood, *Dunn, *Tindell, *Black, *Goins, *Chumney, *Kernell, *Miller L, *Turner (Shelby), *Pleasant, *Todd, *Pruitt. (*SB716 by *Haynes, *Person)

Further consideration of House Bill No. 693 previously considered on today's Calendar at which time the House was on the motion to adopt Amendment(s) No(s). 1.

Rep. S. Jones moved that House Bill No. 693 be passed on third and final consideration.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. S. Jones moved that **House Bill No. 693**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 588** -- Game and Fish Laws - Modifies tag requirement for certain game animals; increases penalty for fishing in contaminated waters; revises procedures for seizure, sale and claiming of certain contraband. Amends TCA Title 70, Chapter 4, Part 116(d)(1); Title 70, Chapter 4, Part 119(b); Title 70, Chapter 6, Part 202(d); Title 70, Chapter 6, Part 203; Title 70, Chapter 6, Part 204; Title 70, Chapter 6, Part 205 and Title 70, Chapter 6, Part 206. by *Bittle. (SB765 by *Burchett)

On motion, House Bill No. 588 was made to conform with **Senate Bill No.765**; the Senate Bill was substituted for the House Bill.

Rep. Bittle moved that Senate Bill No. 765 be passed on third and final consideration.

On motion, Rep. Ridgeway withdrew Conservation and Environment Committee Amendment No. 1.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

On motion, Rep. Ridgeway withdrew Conservation and Environment Committee Amendment No. 2.

Rep. Bittle moved that **Senate Bill No. 765** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Sharp -- 1.

A motion to reconsider was tabled.

House Bill No. 1136 -- Arrests - Authorizes law enforcement officer having probable cause to believe that person has been notified of and violated condition of release on bail in domestic violence case to arrest such person without warrant; punishes such violation by revocation of bail and contempt of court. Amends TCA Title 40, Chapter 11 and Title 40, Chapter 7. by *McMillan, *Odom. (*SB260 by *Burks, *McNally, *Williams, *Person, *Miller J, *Haynes, *Kurita)

On motion, House Bill No. 1136 was made to conform with **Senate Bill No.260**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 260 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 260 by deleting in Section 2(h) of the printed bill the language "(b)" after the language "Section 40-7-103" and before the language ". Such", and by substituting instead the language "(a)", so that the statutory reference reads "Tennessee Code Annotated, Section 40-7-103(a)".

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 260 by deleting Section 5 of the printed bill in its entirety and by substituting instead the following:

SECTION 5. This act shall take effect on September 1, 1999, the public welfare requiring it.

On motion, Children and Family Affairs Committee Amendment No. 2 was adopted.

Rep. McMillan moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 260 by deleting in Section 2(h) of the printed bill the language "(a)" after the language "Section 40-7-103" and before the language ". Such", and by substituting instead the language "(b)", so that the statutory reference reads "Tennessee Code Annotated, Section 40-7-103(b)".

AND FURTHER AMEND by deleting Section 5 of the printed bill in its entirety and by substituting instead the following:

SECTION 5. This act shall take effect on September 1, 1999, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Rep. McMillan moved that **Senate Bill No. 260**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brooks, Brown, Buck, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Boyer -- 1.

A motion to reconsider was tabled.

House Bill No. 1138 -- Domestic Violence - Permits court having jurisdiction over orders of protection where alleged violation of such order occurred, as well as court originally issuing order, to hear and punish as contempt violations of orders of protection. Amends TCA Title 36, Chapter 3, Part 36. by *McMillan, *Odom. (*SB1366 by *Person)

Rep. McMillan moved that **House Bill No. 1138** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1431 -- Economic and Community Development - Provides for certain legislative representation on board of directors of certain central business improvement districts. Amends TCA Section 7-84-519. by *Miller L. (*SB1166 by *Ford J)

On motion, House Bill No. 1431 was made to conform with **Senate Bill No.1166**; the Senate Bill was substituted for the House Bill.

Rep. Miller moved that **Senate Bill No. 1166** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 95.

Representatives present and not voting were: Mr. Speaker Naifeh -- 1.

A motion to reconsider was tabled.

House Bill No. 1158 -- Utilities, Utility Districts - Increases membership of board of First Utility District of Hardin County from three to five; staggers terms of such board members. Amends TCA Section 7-82-307. by *Rinks. (*SB1445 by *Wilder)

Further consideration of House Bill No. 1158 previously considered on March 24, 1999, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

Rep. Rinks moved that House Bill No. 1158 be passed on third and final consideration.

Rep. Williams moved the previous question, which motion failed by the following vote:

Ayes	42
Noes	39
Present and not voting	1

Representatives voting aye were: Arriola, Bone, Briley, Brooks, Brown, Caldwell, Chumney, Cole (Carter), Curtiss, Davis (Washington), DeBerry J., Ferguson, Fitzhugh, Ford, Fraley, Hargrove, Harwell, Hassell, Jackson, Jones S., Jones U., Langster, Lewis, Maddox, McDonald, McMillan, Odom, Patton, Phillips, Pruitt, Ridgeway, Robinson, Sargent, Stulce, Tidwell, Tindell, Turner (Shelby), Walker, Whitson, Williams, Windle, Winningham -- 42.

Representatives voting no were: Armstrong, Baird, Beavers, Bittle, Black, Buck, Bunch, Buttry, Cole (Dyer), Cooper, Davidson, Dunn, Eckles, Fowlkes, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hood, Kent, Kisber, McCord, McDaniel, McKee, Miller, Montgomery, Phelan, Pleasant, Rhinehart, Sands, Scroggs, Sharp, Towns, Turner (Hamilton), West, White, Wood -- 39.

Representatives present and not voting were: Kernell -- 1.

After further debate, Rep. Phelan moved the previous question, which motion prevailed.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Rep. Rinks moved that **House Bill No. 1158** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes93
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

***House Bill No. 1129** -- Common Carriers - Defines certain motor carriers; deletes requirement for certain temporary certificates. Amends TCA Title 65, Chapter 15. by *Westmoreland, *Ford S. (SB1613 by *Haun, *McNally)

Further consideration of House Bill No. 1129 previously considered on March 24, 1999, and reset for today's Calendar.

On motion, House Bill No. 1129 was made to conform with **Senate Bill No.1613**; the Senate Bill was substituted for the House Bill.

Rep. Westmoreland moved that **Senate Bill No. 1613** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

***House Bill No. 1131** -- Motor Vehicles, Titling and Registration - Revises registration requirements and fees for certain motor vehicles; imposes penalty for commercial use of certain private motor vehicles; requires certain persons to notify department of safety of name or address change within ten days. Amends TCA Title 55, Chapters 3 and 4. by *Westmoreland, *Ford S. (SB1615 by *Haun, *McNally)

Further consideration of House Bill No. 1131 previously considered on March 24, 1999, and reset for today's Calendar.

On motion, House Bill No. 1131 was made to conform with **Senate Bill No.1615**; the Senate Bill was substituted for the House Bill.

Rep. Westmoreland moved that **Senate Bill No. 1615** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Joint Resolution No. 169 -- Naming and Designating - Declares April 1, 1999 to April 1, 2000 "Year of the Census"; encourages all citizens of Tennessee to be counted in census 2000. by *DeBerry L., *Naifeh, *Miller L., *Bowers, *Rinks, *Hargrove, *Kisber, *Cole (Dyer), *Kent, *Ferguson, *Cole (Carter), *Langster, *Jones U (Shelby), *West, *Pruitt, *Brooks, *DeBerry J., *Chumney, *Cooper B., *Armstrong, *Boyer, *McDaniel, *Turner (Hamilton), *McKee, *Roach, *Fitzhugh, *Maddox, *Brown.

Rep. L. DeBerry moved that **House Joint Resolution No. 169** be adopted, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Kisber moved that the rules be suspended for the purpose of introducing House Resolution No. 18 out of order, which motion prevailed.

***House Resolution No. 18** -- Ethics - Adopts Ethics Code for House of Representatives. by *Kisber, *Hargrove, *DeBerry L, *McMillan, *Wood, *Rinks, *Cole (Carter), *Kent, *Hassell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kisber, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Ferguson, **House Bill No. 767** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Sargent, **House Bill No. 815** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Phelan, **House Bill No. 1572** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Black, **House Bill No. 784** was recalled from the State and Local Government Committee and withdrawn from the House.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the purpose of amending **Rule No. 67** of the rules of the House as follows:

Amendment No. 1

Notwithstanding any rule to the contrary, when the House of Representatives is not in floor session, standing committees, subcommittees, committees created pursuant to resolution, committees created pursuant to statute and ad hoc committees of the Regular Session are authorized to meet and conduct business during any extraordinary session of the General Assembly.

On motion, the rules were suspended for the immediate consideration of the amendment.

On motion of Rep. Hargrove, the amendment was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 142: Rep(s). Bowers as first sponsor(s).

House Bill No. 647: Rep(s). Towns as prime sponsor(s).

House Bill No. 677: Rep(s). Fitzhugh as prime sponsor(s).

House Bill No. 847: Rep(s). Towns as prime sponsor(s).

House Bill No. 1007: Rep(s). Bowers as prime sponsor(s).

House Bill No. 1189: Rep(s). Sands as prime sponsor(s).

**REPORT OF CHIEF ENGROSSING CLERK
March 25, 1999**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 12, 156, 163, 164 and 168.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 25, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 66, 130, 131, 132, 133, 134, 135, 137, 139, 141, 142, 143 and 147, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 194 and 195; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 25, 1999

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 170.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March, 25, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 170; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 211; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 211 -- Naming and Designating - "Tennessee State Employee Week," May 9-16, 1999. by *Crutchfield, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

ENROLLED BILLS

March 25, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 411, 458, 1114 and 1454.

BETTY KAY FRANCIS, Chief Engrassing Clerk.

SIGNED

March 25, 1999

The Speaker signed the following: House Bill(s) No(s). 411, 458, 1114 and 1454.

BETTY KAY FRANCIS, Chief Engrassing Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 43 and 1938; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 43 -- Rutherford County - Subject to local approval, expands county purchasing committee from three to five members to be composed of county executive and four county commissioners; county executive to serve as ex officio chair. Amends Chapter 421 of the Private Acts of 1943. by *Womack. (HB40 by *Eckles, *Beavers, *Hood)

Senate Bill No. 1938 -- Rutherford County - Subject to local approval, authorizes county governing body to set license fees for kennels where dogs or cats are bred for sale; gives owner of impounded animal additional time to claim animals prior to release or destruction; grants Humane Rabies Animal Control Board authority to enforce the provisions of the act. Amends Chapter 55 of the Private Acts of 1983. by *Womack. (HB1941 by *Eckles, *Hood, *Beavers)

SIGNED

March 25, 1999

The Speaker signed the following: Senate Bill(s) No(s). 13, 21, 22, 73, 201, 311, 459 and 1379.

SIGNED

March 25, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 194 and 195.

ENGROSSED BILLS

March 25, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 261, 506, 781, 1426, 1495, 1947, 1948, also, House Joint Resolution(s) No(s) 73, 150, 159, 160, 161, 162, 165 and 167.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 69; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 69 -- Naming and Designating - "Big Orange Day" in Tennessee, January 4, 2000, by *Haynes, *Rochelle, *Burks, *Crutchfield, *Springer.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1933, 1934, 1935, and 1940; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 240, 547, and 836; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1931; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 24, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 26; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 210.

The Senate concurred in House Amendment(s) No(s). 1 and nonconcurred in House Amendment(s) No(s). 2.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE GOVERNOR

March 25, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 12, 156, 163, 164 and 168, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 150, 159, 160, 161, 162, 165 and 167; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 153, 154, 155, 157 and 158; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 19, 145, 146, 149, 151 and 152; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK

March 25, 1999

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 481, 619, 685, 693, 1138, 1158; also, House Joint Resolution(s) No(s). 169.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 690; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

March 25, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1931, 1933, 1934, 1935, 1940; also, House Resolution(s) No(s). 27, 33, 34, 35, 36 and 37.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 25, 1999

The Speaker signed the following: House Bill(s) No(s). 1931, 1933, 1934, 1935, 1940; also, House Resolution(s) No(s). 27, 33, 34, 35, 36 and 37.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 28, 165, 280, 326, 421, 423, 507, 614, 886, 923, 970, 1594, 1767; also, Senate Joint Resolution(s) No(s). 28 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 51, 187, 205, 217, 265, 309, 379, 388, 742, 1113, 1450, 1590, and 1596; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 411, 458, 1114, and 1454; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

March 25, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 19, 145, 146, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 165, 167, and 170; also, House Resolution(s) No(s). 18.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 25, 1999

The Speaker signed the following: House Joint Resolution(s) No(s). 19, 145, 146, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 165, 167, and 170; also, House Resolution(s) No(s). 18.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

March 25, 1999

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 411, 458, 690, 1114, and 1454.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 25, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 366, 647, 818, 839, 840, 867, 913, 983, 1029, 1189, 1231, 1416, 1574, 1614, 1659, 1777, and 1780; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 366** -- Taxes, Exemption - Deletes requirement of 15,000 square feet of space for fitness facilities to qualify for exemption from amusement tax. Amends TCA Section 67-6-330. by *Ramsey. (HB621 by *Godsey)

***Senate Bill No. 647** -- Public Records - Specifies that inmate records are open to public inspection. Amends TCA Title 10, Chapter 7, Part 5. by *Springer, *Rochelle. (HB575 by *McDonald, *Sands)

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

***Senate Bill No. 818** -- Claims Commission, Tennessee - Authorizes bond required for transcript preparation costs in appeal of commissioner of claims decision to be in cash or guaranteed by one or more personal sureties owning real property in Tennessee. Amends TCA Title 9, Chapter 8, Parts 1, 3 and 4. by *Crutchfield. (HB1332 by *Hargrove)

***Senate Bill No. 839** -- Municipal Government - Increases from \$5,000 to \$10,000 maximum amount municipal governing body may set for purchases not requiring public advertising and competitive bidding. Amends TCA Section 6-56-306. by *Blackburn. (HB1815 by *Sargent)

***Senate Bill No. 840** -- Municipal Government - Allows board of commissioners to authorize city manager to enter into contracts on behalf of city in routine matters. Amends TCA Title 6, Chapter 19 and Title 6, Chapter 21. by *Blackburn. (HB1814 by *Sargent)

***Senate Bill No. 867** -- Victims' Rights - Increases amounts recoverable by victims of crime under Criminal Injuries Compensation Act; authorizes compensation for clean up of homicide scene. Amends TCA Title 29, Chapter 13, Parts 1 and 2; Section 40-24-107 and Section 67-4-606. by *Kyle, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L., *Dixon, *Elsea, *Ford J., *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J., *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack. (HB1335 by *McMillan, *Hargrove)

***Senate Bill No. 913** -- Land, Agricultural and Open Spaces - Revises application and certification requirements under Agricultural, Forest, and Open Space Land Act of 1976. Amends TCA Section 67-5-1004; Section 67-5-1005; Section 67-5-1006; Section 67-5-1007 and Section 67-5-1008. by *Rochelle, *Miller J. (HB1412 by *Davidson, *Rinks)

***Senate Bill No. 983** -- Sentencing - Permits sentencing DUI offenders to litter removal for six eight-hour days, in lieu of 48 hours of incarceration, under supervision of sheriff. Amends TCA Title 55, Chapter 10, Part 4. by *Burks, *Crutchfield, *Herron, *Graves, *Davis L., *Harper, *Haun, *Haynes, *Springer, *Dixon, *Williams, *Cooper, *Ford J. (HB1327 by *Hargrove)

***Senate Bill No. 1029** -- Public Records - Reorganizes present requirements for public records of municipal corporations; requires notice to state librarian and archivist 90 days before destruction of any records, specifically including temporary records and working papers.. Amends TCA Title 10, Chapter 7. by *Harper. (HB1813 by *Langster)

Senate Bill No. 1189 -- Financial Disclosure - Creates online campaign financial disclosure system for candidates for state public office and single candidate political campaign committees, to be designed and implemented by secretary of state, in conjunction with registry of election finance. Amends TCA Title 2, Chapter 10, Part 1. by *Cohen. (*HB772 by *Hargett)

Senate Bill No. 1231 -- Public Health and Health Care - Removes requirement that pilot project for managed home-based and community-based long-term care for senior citizens be limited to nursing home eligibles under Medicaid program. Amends TCA Section 71-5-187. by *Haynes. (*HB972 by *Jones, S.)

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Senate Bill No. 1416 -- Election Laws - Revises election laws. Amends TCA Sections 2-2-107; 2-2-127; 2-3-201(a); 2-4-102; 2-4-103; 2-4-109; 2-4-110; 2-5-204(c); 2-6-601; 2-8-107(b); 2-12-108; and 2-12-201(a)(1). by *Rochelle. (*HB1036 by *Hargrove)

***Senate Bill No. 1574** -- Tobacco, Tobacco Products - Enacts "Tennessee Minimum Cigarette Pack Size Act of 1999." Amends TCA Title 47, Chapter 18. by *Haun, *Burks. (HB1312 by *Givens, *Bowers, *Ferguson, *Roach, *Walker (Rhea))

Senate Bill No. 1614 -- Criminal Offenses - Enacts "Motor Vehicle Chop Shop Act of 1999." Amends TCA Title 55, Chapter 5, Part 1. by *Haun, *McNally. (*HB1130 by *Westmoreland, *Ford S, *Todd)

***Senate Bill No. 1659** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Adult Baseball League Association new specialty earmarked license plates; earmarks portion of revenues from sale thereof to such association Amends TCA Title 55, Chapter 4. by *Burchett. (HB1752 by *Hagood)

Senate Bill No. 1777 -- Planning, Public - Requires that removal of member of local neighborhood development corporation by Tennessee neighborhood development corporation be for cause. Amends TCA Title 13, Chapter 13, Section 104. by *Miller J. (*HB1856 by *Sargent)

Senate Bill No. 1780 -- Energy - Transfers office of energy management from department of general services to department of finance and administration, as to functions related to energy management plan for state owned buildings and facilities; deletes certain reporting functions of office of energy management. Amends TCA Title 4, Chapter 3. by *Leatherwood. (*HB1859 by *McKee, *McDaniel)

**ENROLLED BILLS
March 25, 1999**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 240, 547, and 836.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
March 25, 1999**

The Speaker signed the following: House Bill(s) No(s). 240, 547, and 836.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present.....94

THURSDAY, MARCH 25, 1999 -- TWENTY-FIRST LEGISLATIVE DAY

Representatives present were: Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cooke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 5:30 p.m., Monday, March 29, 1999.